

Remarks/Arguments:

Claim Rejections Under 35 U.S.C. §102

Claims 7-12 stand rejected under 35 U.S.C. §102 as anticipated by U.S. Patent No. 6,193,031 (Baechle et al.). Applicants traverse these rejections.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." M.P.E.P. §2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claim 7 recites a "method for changing the pressure fluid of an electrohydraulic brake system, comprising a pedal-operated master brake cylinder and a brake circuit controlled by the master brake cylinder pressure, including a pump the intake side of which, by means of an intake conduit, is in communication with a pressure fluid reservoir, and a high-pressure accumulator as well as inlet and outlet valves for the wheel brakes connected to the brake circuit, with an inlet valve controlling the connection of the related wheel brake to the high-pressure accumulator, and an outlet valve controlling the connection of the related wheel brake to the pressure fluid reservoir by means of a non-pressurized return conduit, and with the master brake cylinder being connected to the brake circuit by means of a cut-off valve inserted downstream of the inlet valves, comprising at least the following steps: 1. conventional change of the pressure fluid by repeated manual application of the brake pedal; 2. activating the pump and delivering pressure fluid out of the reservoir; 3. connecting the inlet and outlet valves and the cut-off valve in a first configuration such that pressure fluid is fed from the high-pressure accumulator to the wheel bleeder connections and in a second configuration such that pressure fluid is fed from the high-pressure accumulator into the pressure fluid reservoir."

The Office Action vaguely references the abstract of Baechle et al. as teaching a high-pressure accumulator, however, the abstract of Baechle et al. is silent on a high-pressure accumulator. Furthermore, Baechle et al. does not teach a system wherein the inlet and outlet valves and the cut-off valve are connected in a configuration such that pressure fluid is fed from a high-pressure accumulator into the pressure fluid reservoir. To the contrary, as illustrated in Figs. 2 and 3, in each instance when the pump is actuated, one or more of the valves are opened such that fluid flows to the open wheel bleeding valves. As such, fluid will also flow to the open wheel bleeding valves and will not flow to the pressure fluid reservoir. Baechle et al. fails to each and every limitation of the claimed invention.

It is respectfully submitted that independent claim 7 is in condition for allowance. Claims 8-12 each depend from claim 7 and should each be allowed for at least the reasons set forth above.

Claim 11, which depends from claim 7 and is allowable for at least the reasons set forth above, further recites a specific sequence upon which the various steps are carried out. The Office Action cites to Fig. 4 of Baechle et al. as teaching such sequence, however, Fig. 4 only shows components of system and does not provide any indication of the claimed sequence. Additionally, claim 11 recites the step of "loading and unloading the accumulator in such a fashion that the pressure fluid is delivered in the direction of the pressure fluid reservoir." As explained above, Baechle et al. does not teach or suggest such a step. Baechle et al. fails to teach these further limitations recited in claim 11.

Claim 12, which depends from claim 7 and is allowable for at least the reasons set forth above, further recites "wherein during a delivery of pressure fluid by way of the wheel bleeder connection of one wheel, pressure is applied to the other three wheel brakes by opening the associated inlet valves, with the wheel brake pressures being measured and the determined pressure triplets being set into correlation to the operated inlet valves." Baechle et al. does not teach measuring brake pressures of three of the wheels while one of the wheels is bled. To the contrary, Baechle et al. teaches bleeding of the wheels in front or rear wheel pairs. Baechle et al. fails to teach these further limitations recited in claim 12.

It is respectfully submitted that each of the pending claims is in condition for allowance. Early reconsideration and allowance of each of the pending claims are respectfully requested.

If the Examiner believes an interview, either personal or telephonic, will advance the prosecution of this matter, it is respectfully requested that the Examiner get in contact with the undersigned to arrange the same.

Respectfully submitted,



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Dated: November 8, 2007

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